

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

WILMINGTON TRUST, N.A.,

VS.

SFR INVESTMENTS POOL 1, LLC, *et al.*,

Defendants.

Case No.: 2:16-cv-02713-GMN-EJY

ORDER

Pending before the Court is the Motion for Summary Judgment, (ECF No. 67), filed by Claimant SFR Investments Pool 1, LLC (“SFR”). In the Motion, SFR requests that the enter summary judgment in its favor on its quiet title and injunctive relief claims against Defendants Citibank, N.A. (“Citibank”) and Raymond A. Schep (“Schep”).

Both Citibank and Schep have not appeared in this action. SFR has previously moved for clerk's entry of default against both parties, which the Clerk of Court granted on June 2, 2017, and July 1, 2019, respectively. (Schep Clerk's Default, ECF No. 33); (Citibank Clerk's Default, ECF No. 71). In light of SFR having attained a clerk's entry of default as to these parties, the Court finds that SFR's requested relief is most appropriately raised in a motion for default judgment. *See Fed. R. Civ. P. 55(b); Bank of New York Mellon v. Sommerset Park Homeowners Ass'n*, No. 2:16-CV-01811-GMN-CWH, 2019 WL 3017661, at *6 (D. Nev. July 10, 2019).

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1 **I. CONCLUSION**

2 **IT IS HEREBY ORDERED** that SFR's Motion for Summary Judgment, (ECF No. 67),
3 is **DENIED without prejudice.**

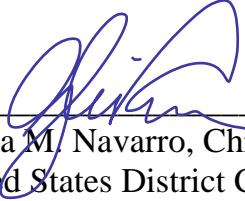
4 **IT IS FURTHER ORDERED** that in the event SFR seeks default judgment against
5 Citibank and Schep, SFR shall file a motion for default judgment within twenty-eight (28) days
6 of this Order's issuance. Otherwise, SFR shall file a status report within this deadline apprising
7 the Court as to how it intends to proceed against these parties.

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9 **DATED** this 29 day of August, 2019.

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Gloria M. Navarro, Chief Judge
United States District Court

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